



Planning Commission

The Planning Commission meets the second Wednesday of the month at 4:00 p.m. in the Board of Supervisors' Hearing Room. All meetings are open to the public. Those who wish to speak are asked to complete a "Speaker Information" form (available at the meeting) and submit it to County staff before the Call to Order.

The order and/or deletion of any item on the agenda is subject to modification at the meeting. Actions of the Planning Commission may be appealed to the Board of Supervisors by any interested party by submitting an application for appeal within 15 days. An application for appeal is available this afternoon with the Clerk, at the Community Development Department's office Monday through Friday between 8 A.M. and 5 P.M., or anytime on our webpage in the "Permits and Packets" link.

Packets and staff reports are available for review at the Community Development Department. Questions or concerns may be directed to Planning Manager, Michael Turisk at 520.432.9240. Agendas and minutes are posted on Cochise County's home page in the "Public Meeting Info" link.

Pursuant to the Americans with Disabilities Act (ADA), Cochise County does not, by reason of a disability, exclude from participation in or deny benefits or services, programs or activities or discriminate against any qualified person with a disability. Inquiries regarding compliance with ADA provisions, accessibility or accommodations can be directed to Chris Mullinax, Safety/Loss Control Analyst at (520) 432-9720, FAX (520) 432-9716, TDD (520) 432-8360, 1415 Melody Lane, Building F, Bisbee, Arizona 85603.

**COMMUNITY DEVELOPMENT DEPT.
HOURS OF OPERATION**
Monday through Friday
7:30 a.m. to 5:00 p.m.
Phone: 520.432.9240
Fax: 520.432.9278



Cochise County Planning Commission

Cochise County Complex
Board of Supervisors' Hearing Room
1415 W. Melody Lane, Building G
Bisbee, Arizona 85603

Regular Meeting
December 11, 2013
4:00 p.m.

AGENDA

1. 4:00 P.M. - CALL TO ORDER

2. **ROLL CALL** (Introduce Commission members and explain quorum and requirements for taking legal action).

3. **CALL TO THE PUBLIC** - Pursuant to A.R.S. § 38-431.01 (H) this is an opportunity for the public to comment. Individuals are invited to address the Commission on *any issue within the Commission's jurisdiction*. Since Commissioners may not discuss items that are not specifically identified on the agenda, Commission action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date.

4. APPROVAL OF PREVIOUS MONTH'S MINUTES

5. NEW BUSINESS

Item 1 - (Page 1) Introduce docket and notify the public who the Applicants are:

PUBLIC HEARING -- Docket SU-13-19 (Barrett): A request for a Special Use to establish an equine-assisted learning facility in a SR-43 Zoning District located at 1566 N. Schiefflin Drive in unincorporated Tombstone. The Applicants are Lillia De Luca-Barrett and Kenn Barrett.

NOT A PUBLIC HEARING – WORK SESSION: Discussion and direction on a resolution that proposes revisions to Section 1820.02 of the Cochise County Zoning Regulations (*Water Conservation Measures – Sierra Vista Sub-watershed Overlay Zone*).

The proposed revisions are intended to reflect more recent water conservation technologies for and methods of water conservation for uses within the Sierra Vista Sub-watershed.

- 6. PLANNING DIRECTOR'S REPORT, INCLUDING PENDING, RECENT AND FUTURE AGENDA ITEMS AND BOARD OF SUPERVISORS' ACTIONS**
- 7. CALL TO COMMISSIONERS ON RECENT MATTERS**
- 8. ADJOURNMENT**

COCHISE COUNTY PLANNING & ZONING COMMISSION

DRAFT MINUTES

Wednesday, November 13, 2013

REGULAR MEETING at 4:00 p.m.

The regular meeting of the Cochise County Planning and Zoning Commission was called to order at 4:00 p.m. by Vice-Chair Martzke at the Cochise County Complex, 1415 Melody Lane, Building G, Bisbee, Arizona in the Board of Supervisors' Hearing Room.

Due to the vacancy of the Chair, Vice-Chair Martzke chaired the meeting. He admonished the public to turn off cell phones, use the speaker request forms provided, and to address the Commission from the podium using the microphone. He explained the time allotted to speakers when at the podium. He then explained the composition of the Commission, and indicated there was one Special Use Docket, and one Regulation Docket on the Agenda. He explained the consequences of a potential tie vote and the process for approval and appeal.

ROLL CALL

Mr. Martzke noted the presence of a quorum and called the roll, asking the Commissioners to introduce themselves and indicate the respective District they represent; eight Commissioners (Tim Cervantes, Jim Lynch, Gary Brauchla, Ron Bemis, Liza Weissler, Pat Edie, Jim Martzke, and Joe Garcia) indicated their presence. Staff members present included Beverly Wilson, Planning Director; Michael Turisk, Planning Manager; Keith Dennis, Planner II; and Peter Gardner, Planner I.

APPROVAL OF THE MINUTES

Motion: Approve the minutes of the October 9, 2013 with typographical corrections.

Action: Approve **Moved by:** Mr. Lynch, **Seconded by:** Mr. Bemis

Vote: Motion passed (**Summary:** Yes = 7, No = 0, Abstain = 1)

Yes: Mr. Lynch, Mr. Cervantes, Mr. Bemis, Mr. Martzke, Ms. Weissler, Ms. Edie, Mr. Garcia

No: 0

Abstain: Mr. Brauchla

CALL TO THE PUBLIC

Mr. Martzke opened the "Call to the Public."

There being no one wishing to speak, Mr. Martzke closed the "Call to the Public."

NEW BUSINESS

Item 1

Item 1 – Election of Chair and Vice-Chair

Mr. Martzke explained that due to the resignation of Mr. Lynch as Chairman, a new Chair must be elected to fill the remainder of Mr. Lynch's term as Chair, until December 31. He then called for nominations. Mr. Lynch nominated Ms. Weissler, and Mr. Bemis seconded the nomination. There being no further nominations, Mr. Martzke declined to call for a vote, and Ms. Weissler was named Chair.

Item 2

PUBLIC HEARING -- Docket SU-13-18 (Overturf): A Special Use request to use an existing single-family dwelling for a doctor's office and outpatient health clinic located at 10323 978 S. Lee Street in Saint David.

Chair Weissler called for the Planning Director's report. Planner I, Peter Gardner, presented the docket, explaining the background of the request utilizing photos, maps, and other visual aids. Mr. Gardner explained the opposition received from a neighbor, and explained Staff's assessment of the concerns given. He also addressed concerns expressed by ADOT regarding the site and explained Staff's analysis of the Special Use factors and explained requested Modifications. He closed by listing factors in favor of and against approval and invited questions from the Commission.

There being no questions for Staff, Ms. Weissler invited the Applicant to make a statement. Mr. Adam Overturf spoke, explaining the details of the request. He expanded on the lack of medical services in the immediate area and emphasized that the proposed use would serve the local community. He also explained the proposed mitigation measures regarding light and noise. He noted that he had received a number of signatures of support from neighbors, which he submitted to the Commission. (Attached as Item A.) He closed by asking for questions.

Ms. Weissler opened the Public Hearing. There being no one wishing to speak, Ms. Weissler closed the Public Hearing and asked for questions from the Commission. Mr. Bemis asked the Applicant about staffing numbers and levels of training. The Applicant explained that there would be one or two doctors on site.

Ms. Weissler then called for the Planning Director's summary and recommendation. Mr. Gardner recommended Conditional Approval and explained the Conditions and Modifications recommended by Staff. Ms. Weissler called for a motion. Mr. Bemis made a motion for Approval of the Special Use with Conditions and Modifications given by Staff. Mr. Martzke seconded the motion and Ms. Weissler asked for discussion. There being no discussion, Ms. Weissler called for a vote. The motion passed 8-0.

Motion: Motioned to grant the Special Use with the Conditions and Modifications as recommended by Staff.

Action: Approve with Conditions and Modifications **Moved by:** Mr. Bemis **Seconded by:** Mr. Martzke

Vote: Motion passed (**Summary:** Yes = 8, No = 0, Abstain = 0)

Yes: Mr. Lynch, Mr. Cervantes, Mr. Martzke, Mr. Bemis, Ms. Weissler, Ms. Edie, Mr. Martzke, and Mr. Garcia.

No: 0

Abstain: 0

Item 3

PUBLIC HEARING -- Docket R-13-02: A resolution that proposes revisions to Section 1820.02 of the Cochise County Zoning Regulations (Water Conservation Measures – Sierra Vista Sub-watershed Overlay Zone). The proposed revisions are intended to reflect more recent water conservation technologies for and methods of water conservation for uses within the Sierra Vista Sub-watershed.

Chair Weissler called for the Planning Director's report. Mr. Michael Turisk presented the docket, explaining the background of the proposed regulations and the rationale for the additions. He explained the background of the Sierra Vista Sub-Watershed overlay district that would be the area covered by the proposed regulations. Mr. Turisk explained the general intent of the proposed regulations and the potential water savings. He also explained the correspondence that Staff had received regarding the proposal, and the public response to the proposed amendments and provided two additional letters to the Commission (Attached as Item B). He closed by inviting questions from the Commission.

Mr. Bemis asked if a property being sold would trigger a requirement to bring an existing structure to the new regulations. Mr. Turisk explained that a rework of the plumbing system would require the system to be brought to the current code. He also noted that the regulations would supersede Building Code requirements. Mr. Bemis noted that the response did not answer his question and asked if when a property is sold if a new owner is "obligated to receive that property in an upgraded condition, or can it be transferred as it was grandfathered." Mr. Turisk clarified that the property could be transferred as is, and reiterated that a rework of the plumbing system would require the system to meet the new regulations. Mr. Bemis also expressed concern that the regulations gave final authority to the Zoning Inspector, and suggested changing the language to read "the County" as the authority rather than an individual. He expressed concern about an individual bringing forward a suggestion that the Zoning Inspector was not familiar with, or wished to appeal a decision, and expressed concern about personality conflicts and wanted a way to appeal decisions. He then stated that he was unaware how many Zoning Inspectors there are. Mr. Turisk explained that the Planning Director is the Zoning Inspector. He then asked Mr. Bemis for clarification regarding appeals. Mr. Bemis stated that he felt that the regulations should be subject to an appeals board and expressed concern about future Zoning Inspectors. Mr. Turisk explained that as the requirements were in the zoning regulations that a Variance could be applied for and the Boards of Adjustment could review an issue and make a decision.

Ms. Weissler opened the Public Hearing and asked if there were any members of the public wishing to speak in favor of or in opposition to the project.

Ms. Cado Daily, UA Water Wise, of Bisbee, spoke in favor. Ms. Daily explained her background with the Water Wise program and offered suggestions to modify the regulations to meet the same intent without specific requirements.

Mr. Robert Weissler, Executive Director for the Friends of the San Pedro River, of Hereford, spoke in favor.

Mr. Weissler expressed support on behalf of the Friends of the San Pedro and advocated for the regulations to protect the San Pedro River, and urged a mindset of water conservation County-wide. He stated that he felt protests based on concerns about over-regulation were "an excuse for incautious use of our precious water resources." Mr. Weissler expressed concern about wise water usage and management. He also stated that practical conservation equipment was available and affordable.

Mr. Douglas Behnke, of Sierra Vista, spoke in opposition. Mr. Behnke spoke regarding the Federal and State Constitutions and referred to the proposed regulation as an illegal attack on private property rights. He stated that previously in the year he had asked the Commission not to entertain these regulations. He stated that if regulations required particular plumbing fixtures it would "take away the freedom of choice from the citizens of Cochise County." He stated that since the regulations applied to "one class of homeowner" it took away their freedom, and was therefore an encroachment on all citizens' freedoms. Mr. Behnke then claimed that adopting the regulations would be a violation of Federal and State Constitutions and claimed that adopting the regulations "would benefit one or two members of the Cochise County government who were also on the Board of the Cochise Water Project." He claimed that this was a violation of the "oath of office to support and defend the Constitution", and expressed concern about freedoms "being nibbled away by an authoritarian County Government."

Ms. Jere Fredenburgh, of Sierra Vista, spoke in opposition. Ms. Fredenburgh supplied additional documents to the Commission. (Attached as Item C). Ms. Fredenburgh asserted that the regulations did not only affect new construction, but applied to existing homes. She urged "at a minimum" deletion of several sections of the proposed regulations pertaining to replacement of fixtures. She stated that these regulations would harm existing struggling home and business owners. Ms. Fredenburgh expressed concern about language pertaining to evaporative coolers and wondered if such existing coolers could be replaced and asked for clarification in writing. She also expressed concern about off-grid homes and manufactured homes, and stated that manufactured homes not being included created separate classes of homeowners. She also expressed concern that new homes be cooled by air conditioning, calling it financially onerous. She addressed concerns that water could drive Fort Huachuca to close by stating that the government may close it regardless, and placed the onus of water conservation on the City of Sierra Vista due to population density and water usage. Ms. Fredenburgh also disputed the need for the regulations based on information claiming that there was "2300 years worth of water" and that there "is no water emergency" and urged the Commission not to "jump to the City solution" but to "encourage conservation." She closed by expressing a concern that while the regulations were currently for the Sierra Vista Sub-watershed, they were intended to be adopted County-wide.

Ms. Joanne Daley, of Sierra Vista, spoke in opposition. Ms. Daley stated that the regulations would infringe on personal property rights and "our ability to make our own choices." She stated that she was a fairly recent homebuilder and noted that she had incorporated many of the proposed changes into her own home. She disputed Staff's concern that residents were not careful with water and stated that everyone she knows in the County is "very conservative" with

water and other uses. She also disputed that there was a water deficit, claiming that the figure given was old and that measures by the city and the Fort had reduced it. She also stated that the figures were only "guesstimates" based on standardized rather than actual figures. Ms. Daley stated that she felt the regulations were "useless" since appliances already complied with the regulations, noting that she knew this because she had unsuccessfully attempted to purchase and install units that did not comply. She asked the Commission to clarify several issues if the Commission did move the regulations forward. She also expressed concern about waterless urinals, noting that they can stink if not maintained. She also expressed concern about water fixtures, and claimed that the regulations required homeowners to install "commercial sprinkler systems." Ms. Daley closed by referring to the landscaping requirements as "the camel's nose under the tent," stating that she felt the regulations were unnecessary and overregulation, stating that the regulations were "unconstitutional."

There being no further speakers, Ms. Weissler then closed the Public Hearing and then called for Commission discussion. Mr. Bemis stated that he was in favor of water conservation but felt that "adopting these regulations and saving every drop of water we can, we are empowering more fragmentation of terrestrial and riparian ecosystems until we run out of water." He expressed concern that "until we can do away with five-way splits of small acreage parcels, we are just empowering more development in the community." He expressed concern that the small splits were concentrated in the Sub-watershed area and resulted in more wells and water usage. Mr. Bemis noted that such splits were not required to go through the subdivision process, which would require a certificate of water adequacy prior to issuance and stated that "we are shooting ourselves in the foot on the long term with this, and until the County can address three and five way splits" he would have to vote against it. Mr. Lynch and Ms. Weissler stated that they did not understand Mr. Bemis' concerns. Mr. Bemis stated that he felt that lot splits must be controlled through a permitting process to manage water in the watershed. He stated "if we save every drop of water we can with the existing population so there's more water to bring more people in to fragment and chop up more land." He expressed concern that three way and five way splits on private properties had to be addressed. Mr. Lynch stated that he felt Mr. Bemis wanted more regulations to address the splits. Mr. Bemis stated the he felt different regulations were needed before the Commission considered these water conservation regulation, and that until split regulations were in place, the water regulations "have the potential to exacerbate the problem because as you conserve water, your neighbor can break up his parcel put more wells in and use more water." Ms. Weissler asked how not saving water would solve the split problem. Mr. Bemis again stated that he wanted the County to address three and five way splits before he could entertain these regulations, and noted that the County had not yet addressed such splits. Mr. Turisk requested to offer clarification, explaining that lot splitting is governed at the State level and that the County does not have any oversight over the process and cannot regulate such splits. He reiterated that any change to lot split law must be done at the state level. Ms. Edie expressed concern that the regulations were called water conservation as long as the San Pedro River had mature cottonwood trees along its banks. She claimed that cottonwoods use 100 gallons of water an hour in the summer. She gave figures claiming that removing cottonwoods from the river would eliminate the water deficit. Ms. Weissler asked Ms. Edie if her proposal was to "remove all the trees and wreck the riparian area?" Ms. Edie answered that "you can't ignore the San Pedro, and the water it is using on a daily basis" and then declare a water shortage

and say "it must be the humans that are doing it." She stated "it is the humans that are doing it, because they are allowing all those trees along the river."

She asserted that new cottonwood trees had been planted and had protective screens around them. Ms. Weissler questioned the assertion and asked for more information.

Ms. Weissler disagreed with the opponents of the regulations. She stated "the river and the riparian are the crown jewel of the County" and "are why people come here," and expressed concern about the health of the river. She noted photos in the presentation of the Santa Cruz River, pointing out that there were no trees along the Santa Cruz, nor any water in it. She clarified that the majority of the regulations pertained only to new construction and used common measures. She stated that the regulations did not "require people to use less" but rather "allow(ing) them to use less" and reiterated that the regulations pertained only to the overlay zone. Ms. Weissler noted that in the seven years since the overlay zone was created it had not expanded in any way, and urged a recommendation of approval to the Board.

Mr. Cervantes asked about a referenced amendment that would remove the requirements for remodels and Ms. Weissler clarified. Mr. Cervantes asked about incorporating other specific proposed changes. Mr. Lynch stated that he felt any such changes at this meeting would violate open meeting law as they had not been advertised, and urged a work session to discuss details of the regulations without trying to rewrite the regulations on the fly. Mr. Cervantes asked if adopted regulations could be amended at a later date. Ms. Weissler and Mr. Turisk concurred that such amendments could occur. Mr. Martzke agreed with Mr. Lynch's suggestion regarding a work session, and stated that he felt later amendments may not happen. He also expressed concern that there were trees using water, suggesting that native trees should be thinned to protect water, and moved to table the item for a work session. Ms. Weissler disagreed with tabling the item, stating that she felt the docket would be continually put off and stated that tabling the docket was "a delaying tactic." She stated that she felt it should go to the Board as written and let the Board make changes. She asked for verification that the regulations largely mirrored those of the City of Sierra Vista. Mr. Turisk verified that was the case, and added that the City of Bisbee was considering similar regulations and emphasized the potential seamlessness of the regulations as "water doesn't honor political or rural/urban boundaries." Mr. Cervantes asked about new home permits in the sub-watershed in the last year. Staff provided an approximate number of several dozen. Mr. Cervantes stated that the impact was therefore limited to a relatively small number of homes, and asked about provisions to aid people who could not afford required upgrades. Mr. Cervantes expounded on the savings that the changes could provide and explained the fixtures available and their lack of expense. He expressed concern that water was being shared, and noted that without the regulations neighbors could waste water. Mr. Martzke agreed with much of Mr. Cervantes' statements, but added that he felt it was the Commission's job to send a final document to the Board and agreed with the Work Session. Mr. Cervantes asked where the disagreement was. Mr. Martzke echoed Mr. Bemis and Ms. Edie, stating "a lot of other things could be done too to conserve water" and asked for more specifics. Mr. Martzke also expressed concern about the Zoning Inspector having authority over the regulations and asked again for more specifics in the regulations. Ms. Weissler summed up that some members felt the regulations were too general and others felt they were too specific, and that she did not understand. She stated that she felt the Commission should make a recommendation and leave it to the Board to set policy. She then called for the Planning

Director's summary and recommendation. Mr. Turisk recommended forwarding the docket to the Board of Supervisors with a recommendation of approval.

Ms. Weissler then called for a motion. Ms. Wilson noted that Mr. Martzke's motion to table the item for a Work Session was still on the table. Mr. Garcia seconded the motion on the table and Ms. Weissler called for a vote. Mr. Lynch asked for additional discussion. He then stated that he was in favor of conserving water and passing appropriate regulations to do so. He then stated that he felt arguments that adopting regulations to conserve natural resources are "somehow unconstitutional are specious and ridiculous," noting that "there are all manner of laws and regulations to make civilization work" and felt that any such arguments should be rejected "out of hand." He closed by stating that he felt the ordinance as presented needed more review. There being no further discussion, Ms. Weissler called for a vote, and the motion passed six to two, Ms. Weissler and Mr. Cervantes in opposition.

Motion: Motioned to table the docket to a Time Uncertain and hold a Work Session.

Action: Table to Time Uncertain and hold a Work Session.

Moved by: Mr. Martzke **Seconded by:** Mr. Garcia

Vote: Motion passed (**Summary:** Yes = 6, No = 2, Abstain = 0)

Yes: Mr. Martzke, Mr. Bemis, Ms. Edie, Mr. Lynch, Mr. Garcia, and Mr. Martzke.

No: Ms. Weissler and Mr. Cervantes

Abstain: 0

PLANNING DIRECTOR'S REPORT

Ms. Weissler then called for the Planning Director's report.

Director Beverly Wilson informed the Commission that the Board of Supervisors had approved the changes to the zoning regulations heard previously by the Commission, with several changes, which Ms. Wilson detailed. She also explained that the AIRES Special Use docket had been appealed and the appeal subsequently withdrawn, and that the West Edge Special Use docket had been appealed, and the appeal rejected by the Board. She closed by noting that the next meeting would have one item, a Special Use for an equine-assisted living facility near Tombstone.

CALL TO COMMISSIONERS

Ms. Weissler asked for further discussion. Mr. Lynch thanked the Herald for their article about the regulation docket and expressed concern in how dockets are advertised due to citizen complaints that they were not informed until the last minute. He asked for consideration of alternative notification methods.

ADJOURNMENT

Mr. Lynch moved to adjourn, Mr. Martzke seconded and the meeting was adjourned at 5:32 p.m.

Petition to Support Saint David Family Healthcare

This is a petition to solicit your support for the opening of Saint David Family Healthcare (SDFHC) to be located at 978 South Lee Street. SDFHC will provide general family practice medicine and home based healthcare services to the community of Saint David. Eventually the goal is to expand these services to include urgent care services (after hours 5-8 PM). Currently we are still in the early planning stages and we need your support to help obtain the Special Use zoning permits that will make this great opportunity possible.

Your signature as an indication of your support for this initiative will be presented to the Cochise County Planning and Zoning commission. Together we can improve this great community by bringing local, quality healthcare to St. David.

Thank you for your support!

NAME	ADDRESS	PHONE #	SIGNATURE
Julie Haymore	700 W. Star Dust Tr. St. David	480-888-0649	Julie Haymore
Ben Haymore	700 W. Star Dust Tr. St. David	480-255-8095	Ben Haymore
Lucia Mathwing	29 S. Ewing St. St. David	520-720-8109	Lucia Mathwing
Kathleen M Buehl	29 S. Ewing St. St. David	686-0380	Kathleen M Buehl
Christy Campbell	P.O. Box 588 St. David, AZ	221-0851	Christy Campbell
Andrew Knibbs	123 E. Cottonwood Ln St. David	520-265-2711	Andrew Knibbs
Debra Crafts, RN	191 W. 5th St Benson, AZ	520-265-4448	Debra Crafts, RN
Diane Heath	1558 W. Clearwater St. St. David	520-554-2079	Diane Heath
John K. Barberi MD	8144 E. 4th Pl, Tucson, AZ	857-8540 520-400-1927	John K. Barberi MD
Ora Goodman	324 N. Sibyl Rd St. David	520-221-0955	Ora Goodman
CONSTANCE PROULX	408 W. KAYDAS WAY Cochise AZ	520-886-0534	CONSTANCE PROULX
Margaret A Anderson	478 Meisterhans St. David, AZ	520-255-1092	Margaret A Anderson
William Norstrom	450 S. Ocotillo St. Benson	520-490-7347	William Norstrom
Abby McCune	3200 cottonwood	520 582	Abby McCune
Martha W Ashley	758 Mockingbird Hill Tucson	586-3955	Martha W Ashley

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Thank you for your support!

NAME	ADDRESS	PHONE #	SIGNATURE
Kassie Garrett	510 E Van Ln St David	520-221-0571	Kassie Garrett
Dorothea Rider	151 South Miller Ln St David	520-720-4496	Dorothea Rider
Celestial Latham	20 S. Sibley St. David	520 720 8504	Celestial Latham
Frank Haugh	228 S. Lee St. St. David	520 265 8233	Frank Haugh
Kelle Jones	226 W. Corral Dr. S.D.	520-720-4189	Kelle Jones
Sharee Buhler	277 W Corral Dr	520-720-9602	Sharee Buhler
Maomi Comeran	350 W. Corral Dr	520-720-4128	Maomi Comeran
R.A. Claudio	326 W Corral Dr	520-265-5233	R.A. Claudio
Larry Lambhart	276 W Corral Dr	520-720-4038	Larry Lambhart
April Jones	250 W Corral Dr	520-720-9657	April Jones
Jan Jones	250 W Corral Dr	520-720-9657	Jan Jones
Angela Anderson	351 W Corral Ct.	520-240-4795	Angela Anderson
Albert Spencer	153 Merrill Dr.	520-650-1997	Albert Spencer
Reanna Spencer	153 Merrill Dr.	520-720-8055	Reanna Spencer
Green Milled J	300 W. Gilman Way	520-227-8911	Green Milled J
JC Smith	415 N Sibley Rd	520-720-4083	JC Smith

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Petition to Support Saint David Family Healthcare

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Thank you for your support!

NAME	ADDRESS	PHONE #	SIGNATURE
Susan Pollock	Robert 4833	720-4110	Solomon
Janice Andes	3244 S. Sibley	720-4526	Janice Andes
Lavee T. Mayberry	334 N. Sibley Rd.	720-4865	Janice T. Mayberry
Rachel M. Ramirez	203 N S. Sibley Rd.	721-0165	Edith Ramirez
Steven Story	283 Saint David	520-421-3621	Steven Story
David Ortiz	1023 S. Griest Pl.	520-720-6005	David Ortiz
David Oulton	1023 S. Griest Pl.	520-720-6005	David Oulton

Turisk, Mike

From: David Grieshop [dgrieshop@icloud.com]
Sent: Wednesday, November 06, 2013 2:12 PM
To: Turisk, Mike
Subject: Proposed Cochise County revised water policy conservation code changes / updates

Mr. Turisk:

This email commends the work the county planning department has done to update its water conservation code. As I understand it, the revisions essentially mirror what the city of Sierra Vista did earlier this year and will be applicable to the SV sub watershed located within the county itself. Such code revisions not only will save water but also energy in the grand scheme going forward - and, they can reduce new homeowner's annual life-cycle cost of home ownership.

During 2009-11, Sierra Vista discovered its existing homes wasted about 8K gallons of water annually while residents waited for hot water; or, about 4-7% of annual consumption. It's new water conservation code will cut that water waste by a minimum of 70 percent! When it comes to hot water in homes, such energy costs account for about 15-30 percent of the annual energy pie. You should appreciate the fact that hot water is between 40 and 68 times more energy intensive than cold water. This becomes even more important for home owners on private or shared wells.

Finally, I can appreciate the ebb and flow of the debate of such revisions. I wish the planning department and the county well as these revisions work their way through the approval process. In the final analysis, the revisions are in the financial and economic interest of county residents whether they understand this fact or not. Change is never easy.

David S. Grieshop
Managing Partner
Reality LLC

Turisk, Mike

From: Cathy Chouinard [ccfrench@cis-broadband.com]
Sent: Monday, November 11, 2013 9:02 AM
To: Turisk, Mike
Subject: Proposed County Water/Landscaping Regulations

Mr. Turisk,

This email is to advise you that I oppose adoption of Sierra Vista style water regulations in Cochise County; these regulations infringe on my private property rights.
Thank you for your time.

Cathy Chouinard
Hereford, Arizona

Jere Fredenburgh
3474 Atsina Dr;
I am representing 45+ petitioners.

These regulations are not simply for new construction, they affect current homes and businesses.

I request that at a minimum you delete (1820-02) A6 and B10 on pages 28 and 30. Which state "in existing buildings or premises in which plumbing installations are to be replaced, such replacement SHALL comply....."

These regulations affect current home and business owners; many of whom are struggling in the current economy. Think of all the businesses on highway 92 that are empty.

I request clarification of (1820-02) A-3, page 28, which states "evaporative coolers: New single-family construction shall not offer evaporative....New or replacement evaporative coolers shall not be single-pass coolers."

It is unclear whether current homeowners (such as me and petitioners) with only evaporative cooling can replace or will be forced to install expensive air conditioning. Although I received clarification from Mike Turisk this afternoon I request that this clarification be made in writing before P & Z votes on these regulations, as the current language can be misinterpreted.

Additionally, how will the county handle homes with off-grid solar that does not support air conditioning; how will the county handle manufactured/mobile homes. (I receive an email from Mike Turisk this afternoon that stated MF homes do not fall under these water regulations – thus different treatment is applied to 'homes'; the off grid solution suggested only cools 150 sq. ft.)

Finally, requiring that all new construction have air conditioning is a financial hardship. Air conditioning adds substantial cost.

I know there is an argument that says we will 'lose the fort' if we don't meet a multitude of federal requirements.

(a) If the government chooses to close the fort, they will – period. Nothing we do will impact their decision.

(b) Sierra Vista has the population density, and water usage, they impact water; the county does not.

In response to the County's statements about water usage in general:

The P & Z packet (Section III Sub watershed, paragraph 4) (page 24) - states "the annual overdraft of the aquifer has reduced significantly from the 14,400 acre-ft. originally anticipated for 2009 to 5,100 acre-ft. today." Accomplished WITHOUT imposing Sierra Vista's rules on county residents.

The information available prior to the 2010 water district election said – "the ground water basin would last a minimum of 2300 years, based on the 'water district evaluation'." There is no water emergency.

<http://littlebigdog.net/WaterDistrictEval.htm>

Please do not 'jump' to the City 'solution'.

Continue the education process to encourage conservation; look at other related solutions – using 'spike' to reduce shrubbery and increases grasslands, (which slows runoff from paved areas); reduce the number of cottonwoods, (which suck up hundreds of gallons of water and release 50% back into the air.)

Please do not impose water regulations on existing homes and businesses.

Help me and the residents of the county to preserve personal property rights; and the rural nature of our county. We are not 'Sierra Vista south'.

A final thought "creeping normalcy" – the way a major negative change, which happens slowly in many unnoticed increments, is not perceived as objectionable'. – Today the sub-water shed, tomorrow all of Cochise county.

Thank you.

1820.02 Water Conservation Measures – Sierra Vista Sub-watershed Overlay Zone

The following water conservation measures shall be required of all residential and non-residential properties in the Sierra Vista Sub-watershed, as defined by the Arizona Department of Water Resources and delineated on County maps and, when a building permit is required, be subject to plan review and inspections:

4. New Construction – Residential

All new construction shall be required to comply with the following water conservation measures:

4.1 All toilets shall be WaterSense® labeled.

The maximum flow rate for the toilet shall not exceed 1.6 gallons per flush (GPF). Toilets shall be required to be WaterSense® labeled for use in the kitchen or other non-bathroom locations. The maximum flow rate shall be no higher than 1.0 GPF for use in the kitchen or other non-bathroom locations.

4.2 Evaporative Coolers: New single-pass evaporative coolers shall not be used as the only source of cooling. Maximum flow rate shall not exceed 2.5 gallons per minute (GPM) per 1,000 square feet of cooling area. New or replacement evaporative coolers shall not be single-pass coolers.

4.3 WaterSense® labeled showerheads shall meet the following requirements:

4.4 Showerheads shall meet the following requirements: (a) WaterSense® labeled showerheads shall meet the following requirements: (a) WaterSense® labeled showerheads shall meet the following requirements: (a) WaterSense® labeled showerheads shall meet the following requirements:

4.5 WaterSense® labeled showerheads shall meet the following requirements: (a) WaterSense® labeled showerheads shall meet the following requirements: (a) WaterSense® labeled showerheads shall meet the following requirements:

7. Hot water on demand: In new construction, a hot water system will be installed to provide hot water on demand at the point of use in sinks and baths/showers.

7.1 The hot water system shall be a WaterSense® labeled system for use in sinks and baths/showers. The system shall be installed in accordance with the following:

- (1) Flow rate shall not exceed 1.5 GPM.
- (2) Flow rate shall not exceed 1.5 GPM.
- (3) Flow rate shall not exceed 1.5 GPM.
- (4) Flow rate shall not exceed 1.5 GPM.
- (5) Flow rate shall not exceed 1.5 GPM.

7.2 The hot water system shall be a WaterSense® labeled system for use in sinks and baths/showers.

7.3 The hot water system shall be a WaterSense® labeled system for use in sinks and baths/showers. The system shall be installed in accordance with the following:

(1) Nominal flow rate shall not exceed 1.5 GPM.

(2) One of the following systems is required:

7.3 WaterSense® labeled showerheads

(1) The system shall be a WaterSense® labeled system for use in sinks and baths/showers. The system shall be installed in accordance with the following:

4.5. Commercial Laundry Facilities: All laundry facilities intended for public use such as laundromats, hotel guest laundries or multi-family housing laundry rooms will be equipped with Energy Star[®] qualified commercial clothes washers rated equal to or below the lowest current Energy Star[®] Water factor. This provision applies to initial establishment of new laundry facilities and on replacement of existing equipment due to normal wear and tear or other loss.

2.6. The use of air-cooling misters is prohibited in commercial and industrial developments.

3.7. Water softeners, if installed, must meet NSF/ANSI requirements.

2. Drinking water treatment systems, if installed, shall meet NSF/ANSI requirements (such systems shall yield at least 100 gallons of treated water per 100 gallons processed).

4.9. All new multi-family development exceeding four units shall provide independent-unit metering (water meter for each dwelling unit, with meter in the exterior).

a. Multi-family complexes providing 10 percent or more low to moderate income housing units as defined by the Department of Housing and Urban Development (HUD), may provide alternative water-saving design methods in lieu of the use of independent-unit metering. The burden of proof is on the applicant to show that an equivalent or greater water savings will be achieved.

b. Alternative water-saving methods to meeting the intent of this provision shall be approved by the County Board of Supervisors and approved in the final plan of subdivision.

1. **Shall not be used for any other purpose than the above.**

2. **Approved by the County Board of Supervisors.**

10. Any new installation or replacement of any other type of irrigation system shall be installed such that the system shall comply with all other requirements for water saving devices.

11. Artificial Water Features: New artificial water features such as ponds, lakes, water courses, and other types of decorative water features are prohibited in any new commercial construction or in common user areas of multi-family housing unless their sole source is harvested rainwater. This provision does not pertain to required storm water detention/retention facilities, holding ponds used for treated effluent being used for permitted irrigation purposes, or permitted swimming pools and spas. Multiple water features on the same property will be considered together to determine surface area. Flowing water used in fountains, waterfalls, and similar features shall be recirculated.

12. Outdoor Sprinkler Systems: Any new installation or replacement of an automatic outdoor sprinkler system shall also include the installation of a rain or humidity sensor that will override the irrigation cycle of the sprinkler system when rainfall has occurred in an amount sufficient to negate the need for irrigation at the scheduled time. Where there are multiple areas with a sprinkler system watered from one controller, the sensor must be installed at the largest area.

13. Landscaping: Any new landscaping proposing irrigation installation or re-installation in a median or similar strip of permeable surface less than fifteen feet in any horizontal dimension, adjacent to a roadway, sidewalk, parking area or other paved or impermeable area, shall be irrigated by a subsurface (drip), non-sprinkling irrigation system.

We the undersigned residents of Cochise County OPPOSE passage of
Sierra Vista style water regulations in the county. We live in the county
for a reason.

Signature/Name	Address	Date
Michael P. Al	14012 McNair Ave SE DANVILLE, VA	10/24/13
Charles R. Bunker	1420 Camille Ave AZ 85305	10/24/13
Richard C. Bunker	2624 TWINA WAY, SV AZ 85300	10/24/13
Call H. Bunker	2227 Mission Dr. SV AZ 85305	10/24/13
Paul Simpson	5355 J. SHAWNEE SV 85305	10/24/13
James Bunker	5555 Lawrence Dr. SV 85305	10/24/13
Manda Bunker	416 E Allen in Apache City	10/24/13
Jeff Freerburg	3474 Arizona St. Sierra Vista AZ 85305	10/24/13
Don H. Bunker	8152 E MUSTANG TR HERFORD AZ 85305	10/24/13
Wanda Bunker	9133 South Hackney Pkwy	Herford AZ 85305
William B. Bunker	4859 W. GLENDON RD. ELIZABETH, AZ 85305	10/24/13
Wanda Bunker	400 S. Wagon Trl. Sierra Vista AZ 85305	10/24/13
Michael Bunker	3493 Otavie, Sierra Vista AZ 85305	10/24/13

We the undersigned residents of Cochise County OPPOSE passage of Sierra Vista style water regulations in the county. We live in the county for a reason.

Signature/Name

Address

Date

Phillip E. Smith	2615 PARAGO TR. Sierra Vista	11-8-13
Paula York	6802 Hwy 91 Hereford AZ	11-8-13
Gregory Bonif	236 S. Sky Ranch Rd Sierra Vista, AZ	11/9/13
Bob Bank Smith	236 S. Sky Ranch Rd Sky AZ	11/9/13
Don Simpson	5555 S. Sky Ranch Rd Sierra Vista AZ	11/9/13
Virginia Simpson	1420 Camino Ranch Sierra Vista AZ	11-9-13
John McManis	11064 S. CATTLE DR. HEREFORD AZ	11-9-13
Cathy Choung	11064 S. CATTLE DR. HEREFORD AZ	11-9-13
Donna Calley	7789 E. Sierra Vista Sierra Vista	11-9-13
Donna Calley	15624 S. 71st Hereford AZ	11-12-13
Shirley Hemenway	8721 S. Sycamore Way Hereford AZ	11-12-13
Donna Calley	8721 S. Sycamore Way Hereford AZ	11-12-13

We the undersigned residents of Cochise County OPPOSE passage of
Sierra Vista style water regulations in the county. We live in the county
for a reason.

Signature/Name

Address

Date

~~James St. Leno~~ Fay Holmes

4040 S Kino Rd S.V. AZ

08 Nov 2013

~~Wendy Giley~~

2383 N. Arrowhead AL, Maricopa City, AZ 85131

Wendy Giley Wendy Giley

1235 WTS Ranch Cochise, AZ 85606

Michael Giley

11

11

~~Raymond E. Pierce~~

6231 E. Lazy K Ln Henderson, AZ 85615

~~Samuel Foster III~~

478 E Allen Ln. Winkstone AZ 85616 11/11/13

~~Raymond E. Pierce~~

Moving to Winkstone in 6 mo' Nov 11/11/13

2

We the undersigned residents of Cochise County OPPOSE passage of
Sierra Vista style water regulations in the county. We live in the county
for a reason.

Signature/Name

Address

Date

Dorinda Stronger

3493 Atsina Sierra Vista, AZ 85650-10-20-13

Alberta

3900 ATSIMADA SIERRA VISTA AZ 85650-10-21-13

Freddie Reitz

3400 Atsina Dr. Sierra Vista Az 85650 10/29/13

Karin Hubertich

8139 So. Downey St. Hufton AZ 85615

Jeff

5155 E DAVIS ST HESPERUS AZ 85615

William C. Williams

7229 S. Land Grants Hesperus, AZ 85615

William C. Williams

8605 E Housford Lane, Sierra Vista, AZ 85650

James

Future Address ATSIMA/CHASOKET, SV, 85600

James

3845 ATSIMA Dr, Sierra Vista AZ 85650

James

3545 Atsina Dr, Sierra Vista, AZ 85650

James

3545 Atsina Dr, Sierra Vista, AZ 85650



COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Keith Dennis, Planner II
FOR: Beverly J. Wilson, Planning Director
SUBJECT: Docket SU-13-19 (Barrett)
DATE: November 26, 2013 for the December 11, 2013 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant is requesting a Special Use authorization to establish and operate an equine-assisted learning facility on the subject parcel. This land use is considered Educational Services, which is allowed as a Special Use in the SR-43 Zoning Districts, per Section 906.03 of the Zoning Regulations. The facility may employ up to four people, and provide services to individuals, or small groups of up to six people, Monday through Saturday. The subject Parcel (108-32-010) is located at 1566 N. Schiefflin Drive in unincorporated Tombstone, AZ. The Applicants are Lillia De Luca-Barrett and Kenn Barrett of the same address.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: 5.54-Acres
Zoning: SR-43 (Single-Family Residential; one dwelling per acre)
Growth Area: Category B (Community Growth Area)
Comprehensive Plan Designation: Neighborhood Conservation
Area Plan: Sierra Vista Sub-watershed
Existing Uses: Residential
Proposed Uses: Addition of equine-assisted learning facility

Zoning/Use of Surrounding Properties

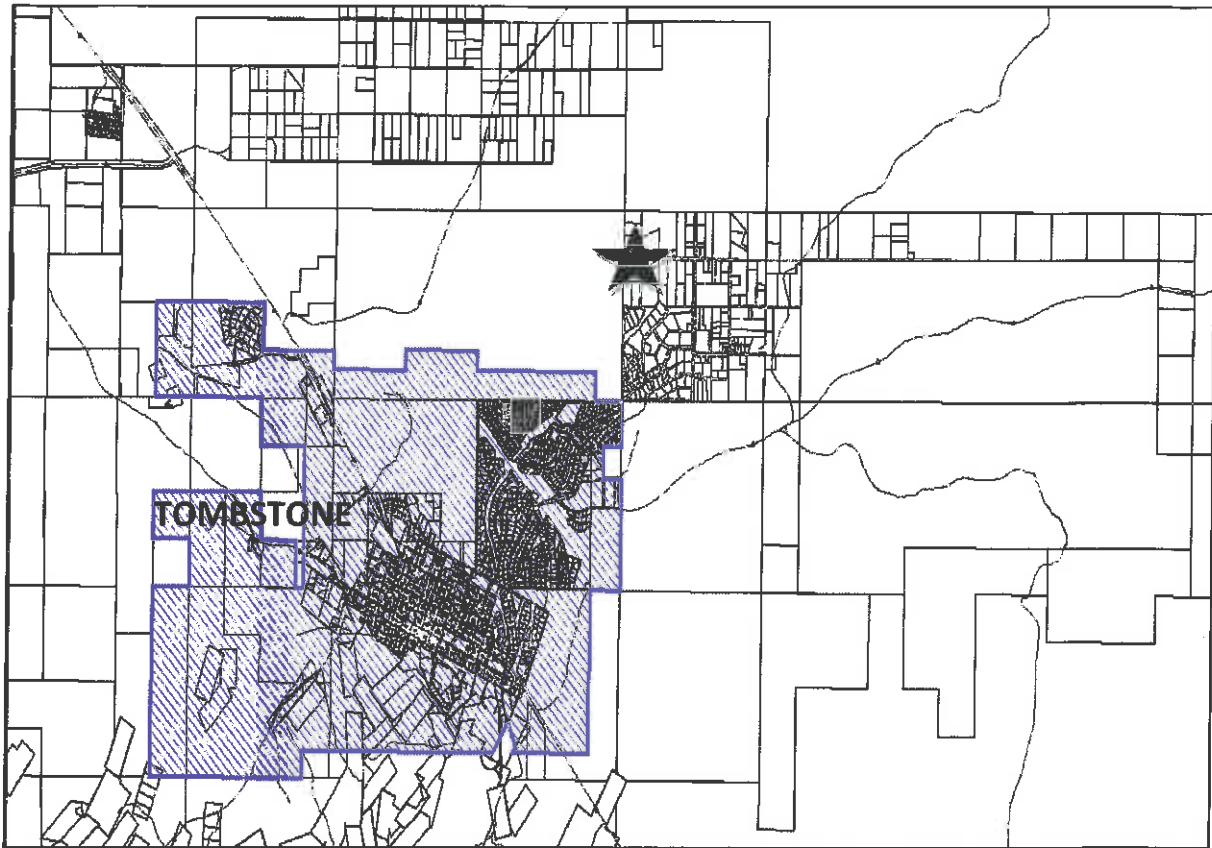
Relation to Subject Parcel	Zoning District	Use of Property
North	SR-43	Drainage Easement, Unoccupied Land
South	SR-43	Single-Family Residential
East	SR-43	Horse Corrals, Bent Barrel Trail, Single-Family Residential
West	SR-43	Schiefflin Drive, Drainage Easement, State Lands

II. PARCEL HISTORY

1998 – Permits issued for 2,384-square foot single-family residence, septic system, and horse corrals.

2012 – Zoning Violation issued for construction of a two-story addition without a permit; Applicant subsequently obtained permit for the 1,384-square foot addition.

2013 – Permits issued for 756-square foot storage building, existing 576-square foot livestock shade structure, and new 768-square foot livestock shade structure.



The project site is northeast of incorporated Tombstone.

III. NATURE OF REQUEST

Applicants Lilla de Luca-Barrett and Ken Barrett have applied for Special Use authorization to establish and operate an equine-assisted learning facility on their property, in unincorporated Tombstone. The business would be open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Saturday. It would initially be staffed by the Applicants, but could include two additional employees in the future.

Equine-assisted learning is a set of techniques used to develop skills in non-verbal communication, assertiveness, teamwork and empathy. It is accomplished by having a person interact with a horse under conditions managed by a trained facilitator/guide. The program also has many therapeutic uses. The Applicants are both licensed psychologists and intend to facilitate the equine-assisted learning as proprietors. The activities would take place outdoors in a panel-fence horse corral. Although the Application states that groups of up to six persons could participate, the Applicants state that most often the activities would take place on an

individual basis. The nature and scope of the proposed business is such that minimum off-site impacts are anticipated.



Above: View to the south of the activity area, within a panel-corral fence. Below: shade structures for the horses.



IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of 10 factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Permit, as well as to determine what Conditions and/or Modifications may be needed. Eight of the 10 criteria apply to this request. The project as submitted complies with three of the eight applicable Special Use factors, as submitted. If the Conditions of Approval and Modifications to development standards

recommended by staff are applied, the project would comply with six of the eight applicable Special Use factors.



View to the southeast of the Bent Barrel Trail access.

A. Compliance with Duly Adopted Plans: Complies (Subject to Condition #3)

The project site is within the boundaries of the area subject to the *Sierra Vista Sub-watershed Policy Plan*. The Applicant has proposed to use portable restroom facilities for clients, however, permanent facilities will be required within one-year of the start of operations. Condition #3 would require that new restroom facilities include fixtures that comply with the *Sierra Vista Sub-watershed Policy Plan*.

B. Compliance with the Zoning District Purpose Statement: Complies

Section 601.02 of the Zoning Regulations establishes that the Rural Districts may “encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living.”

C. Development Along Major Streets: Not Applicable

The property takes access from Schiefflin Road and Bent Barrel Trail, both of which are County-maintained, but neither of which are major roads.

D. Traffic Circulation Factors: Does Not Comply

The Special Use, if granted, would result in non-residential traffic on roads that serve exclusively residential areas, and would therefore not comply with this factor.



Above: eastward view of the site from Schiefflin Drive. The livestock pens are at rear-right, while the residence is at left. Below: Shade structures as seen from the residence. The site is somewhat unique in that it sits on a significant slope, with the proposed use area on the higher ground east, while the residence is on lower ground adjacent to Schiefflin Drive.



E. Adequate Services and Infrastructure: Does Not Comply (See Condition #2)

The site has access to adequate services and infrastructure for the proposed use, in all respects except one: the Applicant has asked that a handicapped-accessible portable restroom unit be allowed in place of permanent facilities. Mr. Barrett maintains that he has three restrooms in his home, but none of these are ADA-compliant. Moreover, the Barretts prefer to keep their residence separate from their business. Condition #2 would allow the land use to be established utilizing temporary facilities as requested by the Applicant, but would require that a new permit be filed within one year of issuance of a certificate of occupancy for the use in order to provide permanent, accessible restrooms on the site. This condition will allow a one-year timeframe for the Applicants to establish their business. This condition could either be accomplished by constructing new facilities adjacent to the educational services use area, or one of the restroom facilities in the residence could be adapted for the purpose.



Northward view of the proposed activity area, seen from the Clanton/Bent Barrel Trail intersection. The residence is downhill from the activity area and is not visible from here.

F. Significant Site Development Standards: Complies (Subject to Requested Waivers)

The proposed land use can meet most site development standards. Note that, apart from the existing open-air horse shelters on the property, no permanent structures are to be used for the business. The activities will take place outdoors in a corral near the horse pens.

The Applicant has asked the Commission to waive the site development standards that pertain to landscape, screening, and gravel requirements as discussed below in Section V.

G. Public Input: Complies

Per the Applicant, the Citizen Review process yielded feedback from one neighbor, who was concerned about possible odors and pest impacts from the horses.

H. Hazardous Materials: Not Applicable

Per the Applicant, no storage of hazardous materials would take place on the property.

I. Off-Site Impacts: Complies

The use is expected to generate minimal impacts relative to noise, glare, or traffic. While there is some potential for off-site impacts relative to odors and pests, staff considers this potential in keeping with the surrounding neighborhood, where horses and livestock are not uncommon.

J. Water Conservation: Complies (See Conditions #2 and #3)

Condition #2 would require permanent lavatory facilities for clients in the future. Any new fixtures associated with these provisions would be required to comply with the water conservation measures of the *Sierra Vista Sub-watershed Policy Plan* (Condition #3).

V. WAIVERS OF DEVELOPMENT STANDARDS

In consideration of the nature of the proposed use and its context in the surrounding area, staff recommends the following site development standards be waived should the Commission approve this Docket:

1. Section 1806, requiring a minimum of 5% of the site be landscaped, and that a landscaping plan be submitted. The Applicant maintains that there are already water conserving landscaped areas on the property—using rocks and native desert plants;
2. Section 1805, requiring that the land use be screened from adjacent residentially-zoned properties, due to the unique topography of the site as it relates to adjacent properties. The screening is not likely to be effective; and
3. Section 1804.07.C, requiring a gravel surface when a use in a Category B Growth Area takes access from a non-paved road. The Applicant maintains that gravel surfacing is deleterious to the health of the horses, and that due to the topography of the property, may create drainage issues if required.

VI. PUBLIC COMMENT

The Department mailed notices to neighboring property owners within one-mile of the subject property. Staff posted the property on November 12, 2013 and published a legal notice in the *Bisbee Observer* on November 14, 2013. In response to County mailings, the Department received correspondence from three neighbors supporting the request, and one opposing. The opposing neighbor is concerned about pests, odors and disease, and is opposed to horses being allowed in the neighborhood generally.

VII. SUMMARY AND CONCLUSION

The Educational Services category of land use can refer to a broad range of uses, from schools large or small, to private tutoring services, and outdoor skills training, to name a few. Such uses are allowed by Special Use authorization in the SR-43 Residential Districts. In this case, the proposed service is fairly quiet in nature, takes place with a minimum of structural needs, and is characterized primarily as one-on-one sessions with clients. The proposed use is estimated to generate a minimum of off-site impacts relative to other possible types of Educational Services. Because the use would utilize existing livestock shade structures and a paneled corral for the equine-assisted learning activities, the use would have maintain a minimal visual profile that blends well with the surrounding neighborhood.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use would comply with six of the eight applicable Special Use factors used by staff to analyze such requests;
2. The use is expected to generate minimal off-site impacts, and maintain a visual appearance that is compatible with the surrounding neighborhood;
3. The use as proposed would not require significant construction to establish and operate;
4. Three neighbors have expressed support for the request in writing.

Factors Against Approving the Special Use

1. The Applicant proposes to use a portable restroom facility rather than dedicated, permanent, accessible facilities;
2. The use would introduce non-residential traffic into an exclusively residential-zoned area; and
3. One neighboring property owner opposes the request.

VIII. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards, except as modified, and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. Temporary ADA-compliant restroom facilities will be permitted on the site for a period not to exceed one-year from issuance of a certificate of occupancy. The Applicant shall obtain a non-residential permit to install permanent restroom facilities, with a firm and stable path to the ADA parking space, within one-year of issuance of a certificate of occupancy;
3. Any new water fixtures on-site shall comply with the policies of the Sierra Vista Sub-watershed Policy Plan;
4. It is the Applicant's responsibility to obtain any additional permits, or meet any additional Conditions that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations; and
5. Any changes to the approved Special Use shall be subject to review by the Planning Department and may require additional Modification and approval by the Planning and Zoning Commission.

Staff further recommends that the following Waivers of development standards be applied to the use:

1. Standard 1806 which requires that a minimum of 5% of the site be landscaped, and that a landscaping plan be submitted;
2. Standard 1805 requiring that the land use be screened from adjacent residentially-zoned properties; and
3. Standard 1804.07.C requiring gravel surface when a use in a Category B Growth Area takes access from a non-paved road.

Sample Motion: Madame Chair, I move to approve Special Use Docket SU-13-19, with the Conditions of Approval and Waivers to development standards recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.

IX. ATTACHMENTS

- A. Special Use Questionnaire
- B. Location Map
- C. Concept Plan
- D. Agency Comments
- E. Requested Modifications
- F. Citizen Review and Public Comment



COCHISE COUNTY
COMMUNITY DEVELOPMENT

"Public Programs... Personal Service"

COCHISE COUNTY PLANNING DEPARTMENT
COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)

TAX PARCEL NUMBER 108-32-010

APPLICANT Kenneth R. Barrett

ADDRESS 1566 W. Schieffelin Dr., Tombstone, AZ 85638

CONTACT TELEPHONE NUMBER (520) 678-6433

EMAIL ADDRESS: Kennbarrett@hotmail.com

PROPERTY OWNER (IF OTHER THAN APPLICANT) _____

ADDRESS _____

DATE SUBMITTED 10-25-2013

Special Use Permit Public Hearing Fee (if applicable) \$ _____

Building/Use Permit Fee \$ _____

Total paid \$ _____

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (6) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (Please note that nine (9) copies will be required for projects occurring inside the Uniform Building Code enforcement area. In addition, if the site plan is larger than 11 by 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)

10 A

6. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach** separate pages if the lines provided are not adequate for your response. Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? Residential/horse ranch

2. What is the proposed use or improvement? Equine Assisted Learning Center

3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? Therapeutic & targeted

ground exercises with horses & select clientele. There will be no impact on neighboring properties

4. Describe all intermediate and final products/services that will be produced/offered/sold.

Group & individual educational & therapeutic skill building ground exercises with horses & children, adults & families

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal) All existing. Plans on file.
steel stables, metal 70' round pen; link fenced yard area approx. 1 acre

6. Will the project be constructed/completed within one year or phased? One Year ☒
Phased ☐ if phased, describe the phases and depict on the site plan.

adding handicapped parking space; repair of existing shaded area for clients

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: M-SAT Hours (from 8 AM to 6 PM)

B. Number of employees: Initially: 2 Future: 4
Number per shift Seasonal changes 4

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site.

max. 3 per scheduled 2 hour group

(2) Total trucks (e.g., by type, number of wheels, or weight)

none

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

S. on Bent Barrel Tr ($\frac{1}{10}$ mi) W. on Clanton ($\frac{1}{10}$ mi) S. on Scheffelin ($\frac{3}{10}$ mi) W. on Camino San Rafael (1.2 mi)

(4) If more than one direction, estimate the percentage that travel in each direction

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest?

Groups / individual sessions will be scheduled in 2 hour blocks beginning at 8 AM and ending at 4:30 PM, whenever the weather is not inclement

Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

D. Estimated total gallons of water used: per day 50 gallons per year 18,250

* no increase due to permit request

Will you use a septic system? Yes ☒ No ☐ If yes, is the septic tank system existing?

Yes ☒ No ☐ Show the septic tank, leach field and 100% expansion area on the site plan.

all plans on site

- G. Does your parcel have permanent legal access*? Yes ☒ No ☐ if no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet. If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

- H. For Special Uses only - provide deed restrictions that apply to this parcel if any.
Attached ☐ NA ☒

8. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water	Holiday Water Co.	no change to current usage
Sewer/Septic	Quick Portable Toilets	one port-a-potty for client use
Electricity	Sulpher Springs	currently on site,
Natural Gas	NIA Southwest Gas	not using
Telephone	Verizon	cell phone
Fire Protection		(3) fire extinguishers on site

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors. All activities will be performed outdoors. Services are dependant upon weather. No services provided in the dark.
Ground activities with clients & horses; client discussions & debriefings.

2. Will outdoor storage of equipment, materials or products be needed? Yes ☒ No ☐ if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. All items to be placed in existing tack shed.

client files located offsite in rented office space.

3. Will any noise be produced that can be heard on neighboring properties? Yes ☐ No ☒ if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? Group or individual activities &

debriefing will be discussed at normal voice level that should not carry more than 20 Ft from stable.

4. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No ☒ If yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? _____

N/A

5. Will odors be created? Yes ___ No ☒ If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? Property is zoned for horses

Proposed business does nothing to increase or cause additional odors. Cleaning 3 times per day, using stall fresheners

6. Will any activities attract pests, such as flies? Yes ___ No ☒ If yes, what measures will be taken to prevent a nuisance on neighboring properties?

Property is zoned for horses. Proposed business does nothing to increase or cause additional pests, using fly predators

7. Will outdoor lighting be used? Yes ___ No ☒ If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications. No activities will be performed in the dark

8. Do signs presently exist on the property? Yes ___ No ☒ If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.

A. _____ B. _____ C. _____ D. _____

9. Will any new signs be erected on site? Yes ___ No ☒ If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?
Yes ___ No ☒

If yes, will storm water be directed into the public right-of-way? Yes ___ No ___

Will washes be improved with culverts, bank protection, crossings or other means?
Yes ___ No ☒

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

For handicapped spot paved concrete; otherwise existing dirt driveway & parking

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

on file

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?
Yes ___ No ☒ If yes, show details on the site plan. Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Planning Department has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

Water is not utilized specifically for this program.
Bottled water to be provided to clients

2. How many acres will be cleared? NONE
If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.) _____

SECTION D - Hazardous or Polluting Materials

Some businesses involve materials that can contaminate the soil, air, water, waste disposal system or environment in general. Precautions must be taken to protect the environment when such products are distributed to or from the site, stored, manufactured, processed, disposed of, or released as raw materials, products, wastes, emissions, or discharges (When sold or incorporated in a product these materials are required to have Material Safety Data Sheets (MSDS) supplied by the manufacturer.) Examples of such products include but are not limited to paint, solvents, chemicals and chemical wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, biological wastes etc.

Does the proposed use have any activities involving such materials?

Yes ___ No ☒ If yes, complete the attached *Hazardous or Polluting Materials Use Questionnaire*.

Note: Depending on quantities, this question does not apply to ordinary household or office products or wastes such as cleansers, waxes or office supplies. Answer YES only if the materials are involved in the commercial or special use process or if landscaping or maintenance chemicals (pesticides, fertilizers, paints, etc.) will be present in quantities greater than 50 pounds (solids) or 25 gallons (liquids).

If you answer NO to this question but in the County's experience, the type of business proposed typically uses such materials, you will be asked to complete the *Hazardous or Polluting Materials Questionnaire* prior to processing this Commercial Use/ Building/ Special Use Permit.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research. The Arizona Department of Environmental Quality Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333).

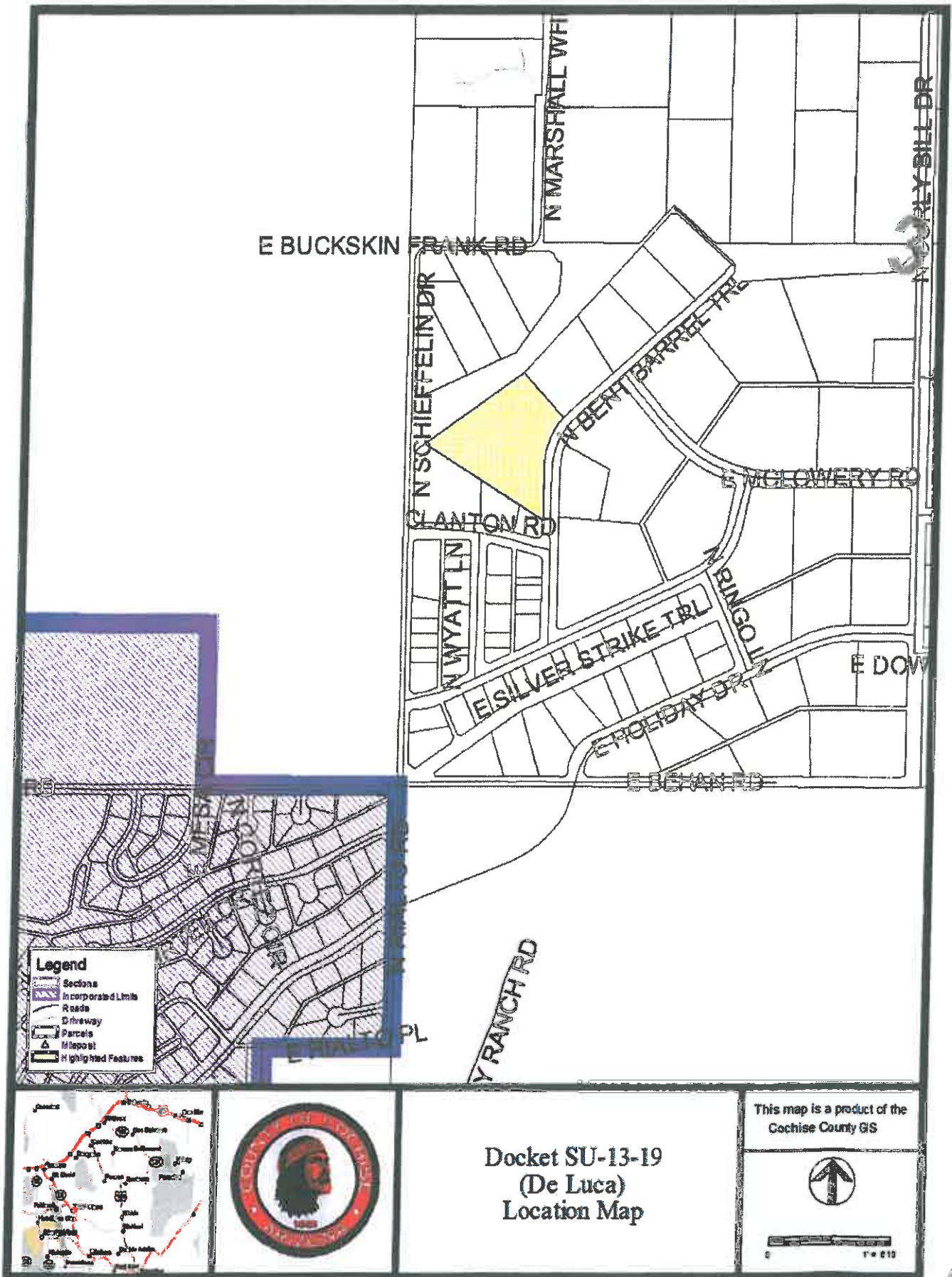
SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature 

Print Applicant's Name Kenn Barrett

Date signed OCT 25, 2013



APPROVED COCHISE COUNTY
COMMUNITY DEVELOPMENT
FOR *HP, the new normal*

shade cover 576 ft, above rock
shade cover 768 ft @ Hall

PERMIT# 13-0310 DATE 5-7-12
BY W. Hall

it is the applicant's responsibility to obtain any additional permits, or meet any additional conditions, if any, that may be applicable to the proposed activity pursuant to other federal, state or local laws or regulations.

This permit is issued for the work described in the permit application only. It does not serve to legalize any structure on the property that has not been properly permitted (even if an undocumented structure is depicted on the site plan that accompanied your permit application).*

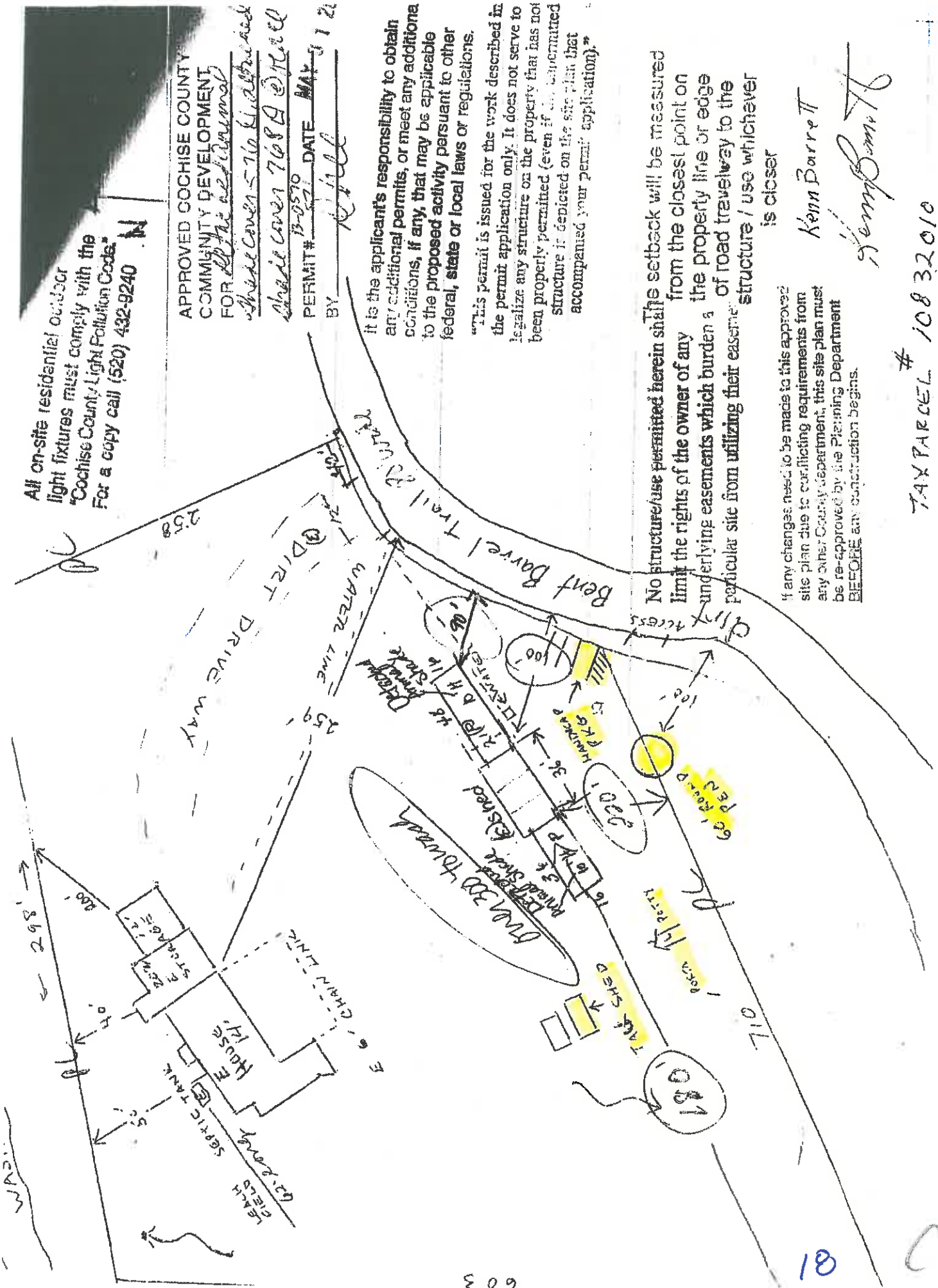
No structure/use permitted herein shall limit the rights of the owner of any underlying easements which burden a particular site from utilizing their easement. The setback will be measured from the closest point on the property line or edge of road travelway to the structure / use whichever is closer

if any changes need to be made to this approved site plan due to conflicting requirements from any other County department, this site plan must be re-approved by the Planning Department BEFORE any construction begins.

Kenn Darroff

James Jones

TAX PARCEL # 10832010





COCHISE COUNTY COMMUNITY DEVELOPMENT

"Public Programs...Personal Service"

MEMORANDUM

DATE: November 14, 2013

TO: Keith Dennis, Planner II

FROM: Pam Hudgins, Right-of-Way Agent II

SUBJECT: Special Use Permit For Lilla de Luca and Ken Barrett (SU-13-19)

Background:

Lilla de Luca and Ken Barrett requested a Special Use Permit for Assessor Parcel Number 108-32-010 to establish and operate an equine-assisted learning facility on the subject parcel. Group and individual participants involving in educational and therapeutic, skill building, ground exercises with horses. Right-of-Way staff was contacted by Planning and Zoning to review the permit and provide comments regarding right-of-way dedication needs for county maintained roads.

Analysis:

- Access for the subject parcel is from North Bound HWY 80, turn Right at Camino San Rafael, approximately 2 miles North on Schiefflin Drive, then Right on Clanton Road, then immediately Left to the first driveway on Bent Barrel Trail.
- Adjoining the subject parcel, Bent Barrel Trail is a county maintained road. The access roads Clanton Road and Schiefflin Drive are also county maintained roads.
- Adjoining the subject parcel, Bent Barrel Trail is dedicated to the public, 80 feet in width per Map Book 5 page 3 recorded February 25, 1963. In addition, Clanton Road has a 80 foot public dedication and Schiefflin Drive has a 50 foot public dedication recorded in Map Book 5 page 3 dated February 25, 1963.

Recommendation:

- No further right-of-way dedication is required at this time.

Dennis, Keith

From: Vincent, Jennifer
Sent: Tuesday, November 12, 2013 8:12 AM
To: Dennis, Keith
Subject: RE: Transmittal SU-13-19 (De Luca)

Keith,

Are they requesting waivers from the required DBST on driveways and parking areas? What about the landscaping requirement? 24' wide driveway? They'll have to show all parking at the time of commercial permit submittal with the required number and size and surface if not waived. Have you talked to Lee about the proposed porta potty? In the past we have only allowed them on a temporary basis. That could be a problem in the future if they are not willing to put a permanent bathroom facility.

Thanks,
Jennifer

From: Dennis, Keith
Sent: Thursday, November 07, 2013 11:06 AM
To: info@herefordnrcd.com; Lamberton, Karen; Donovan, Dennis; Couchenour, Terry E.Jr; Pregler, Lola; David A. Burchard; Ellis, Ronald; Springer, Mike; Sipe, Lee; payroll@cityoftombstone.com; tombstonefire31@gmail.com; Capas, Carol; 'p_edie_99@yahoo.com'; 'bemisr@vtc.net'
Cc: Wilson, Beverly; Turisk, Mike; English, Ann; Flores, Dora; Vincent, Jennifer
Subject: Transmittal SU-13-19 (De Luca)

All,

Please find attached a transmittal for Special Use Docket SU-13-19, a request to establish an equine-assisted learning facility just outside Tombstone, AZ. This Docket will be heard by the Planning and Zoning Commission at their regular meeting of Wednesday, December 11, 2013.

Have a good day,

Keith Dennis - Planner II
Cochise County Planning Department
1415 Melody Lane
Bisbee, AZ 85603
520-432-9240

"Public Programs - Personal Service"
www.CochiseCounty.com

Dennis, Keith

From: Sipe, Lee
Sent: Thursday, November 07, 2013 12:00 PM
To: Dennis, Keith
Subject: RE: Transmittal SU-13-19 (De Luca)

I do not have any Building Code concerns

The only health issue is for the portable toilet, it will need to have Regular service

Thanks

Lee Sipe

COCHISE COUNTY
Building Inspector/Plans Examiner
(520) 432-9240
lsipe@cochise.az.gov

From: Dennis, Keith
Sent: Thursday, November 07, 2013 11:06 AM
To: info@herefordnrcd.com; Lamberton, Karen; Donovan, Dennis; Couchenour, Terry E.Jr; Pregler, Lola; David A. Burchard; Ellis, Ronald; Springer, Mike; Sipe, Lee; payroll@cityoftombstone.com; tombstonefire31@gmail.com; Capas, Carol; 'p_edie_99@yahoo.com'; 'bemisr@vtc.net'
Cc: Wilson, Beverly; Turisk, Mike; English, Ann; Flores, Dora; Vincent, Jennifer
Subject: Transmittal SU-13-19 (De Luca)

All,

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Have a good day,

Keith Dennis - Planner II
Cochise County Planning Department
1415 Melody Lane
Bisbee, AZ 85603
520-432-9240

"Public Programs - Personal Service"
www.CochiseCounty.com

Mod Request

From: KENN BARRETT [kennbarrett@hotmail.com]
Sent: Monday, November 25, 2013 2:08 PM
To: Dennis, Keith
Subject: Rocking R Equine (Kenn & Lilla)

Our answers in BOLD

1: A 2-inch deep gravel surface is required for all internal driveways and parking areas serving the use. Please revise the plan to show the surfacing.

The current surface is hard-packed dirt. It does not puddle in the rain, and is perfect for horse footing as well as vehicle traffic. Paved or gravel surfaces are deleterious to horses and encourage slipping.

2: Five (5) parking spaces, in addition to one HC space, are required. The HC space must be dimensioned at 16x19, and the regular spaces must be 9x19. The regular spaces can be gravel (unless modified), but the HC space must be a paved hard surface, with a firm, stable pathway to the restroom.

We have plenty of room for six such parking spaces. We will have the HC parking spot surfaced in blacktop.

3: A 6-foot high screening must surround the use, which can be a wall, or opaque fencing (Section 1805)

The surrounding houses with a view of our property are elevated on higher ground. They look down on our property. Even a 15-foot-high fence would not obstruct their view into our horse area.

4: The site must comply with landscaping regulations, which can be found in Section 1806.

We have adequate landscaping surrounding our horse-use area which is rock-trimmed.

I am still looking into the portable restroom issue. I will have an answer for you as soon as I have one.

No handicapped clients will be allowed, as the equine therapy involves interacting physically with the horse. As this is therapy, there will be no spectators allowed. Parents or ride-providers may drop off clients but then leave the area. They may go into Tombstone for the duration of the therapy, and return when it is over. Only physically able-bodied clients remain on the property. We have arranged for a Handicapped accessible Roto-Rooter chemical toilet, beige in color, which will blend in with the surroundings. It will be serviced once a week.

Thank you for all you are doing for us. Call if there is anything else we can do to help.

Kenn and Lilla



ROCKING R

Equine Assisted Learning

Box 274, Tombstone, Arizona 85638 Phone: 520-457-8043

Lilla DeLuca Barrett, Psy.D., C.E.O.

October 7, 2013

Hello neighbor!

The purpose of this letter is to let you know that Kenn Barrett and Lilla DeLuca Barrett are submitting an application to the Cochise County Planning and Zoning Commission to request a special use permit for our property located at 1566 N Bent Barrel Trail, Tombstone, AZ. The anticipated meeting date for the Commission is December 11, 2013.

As you may have already noticed, we have built a stable and have brought six horses onto the property. Well, we'd like to give those horses a job and do a good turn for the community at the same time.

What we want to do: The permit is requesting that we be allowed to operate an Equine Assisted Learning Center.

What's Equine Assisted Learning? Equine Assisted Learning (EAL) incorporates horses experientially for emotional growth and learning. It is a collaborative effort between a counselor and a horse professional working with the clients and horses to address the client's education regarding specific skills. EAL is experiential in nature, meaning that participants learn about themselves and others by participating in activities with the horses, and then discussing feelings, behaviors, and patterns. The focus of EAL is not riding or horsemanship, but rather, it involves setting up ground activities involving the horses which will require the client or group to apply certain skills. Those skills cover the gamut to include non-verbal communication, assertiveness, creative thinking and problem-solving, leadership, accountability, teamwork and relationships, confidence, and attitude.

Why horses ? As horses are large and powerful, many are intimidated by them. This creates a natural opportunity for someone to overcome their fear and develop confidence. Working alongside a horse, in spite of those fears, provides valuable insight when dealing with other intimidating and challenging situations in life. Like humans, horses are social animals, with defined roles within their herds. They have distinct personalities, attitudes and moods and an approach that works with one horse won't necessarily work with another. As such, horses provide vast opportunities for metaphorical learning. Most importantly, horses mirror human body language. Equine assisted learning helps people to discover their limiting habits and patterns quickly and efficiently. Additional information is available on the Equine Assisted Growth and Learning Association (EAGALA) website: <http://www.eagala.org/>

What kind of services will be offered? Education will be based on individual or group goals such as to promote healing, creating healthy boundaries, using emotion as information, team building, improving family relationships and non verbal communication skills.

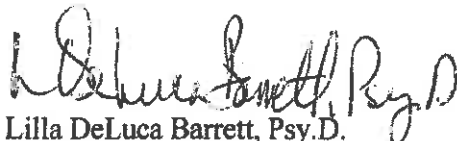
Populations Served: As EAL has been shown to be beneficial to several different populations, it would be easier to list those that would not be served. The learning center would not be appropriate for incarcerated populations or those that are on active probation or parole.


The hours of operation planned will be Monday through Saturday, 8 AM to 6 PM. Off street parking is available. As the property is limited in size, there can be no more than two or three groups accommodated at the same time. Group size is limited to six participants.

The Learning Center partnership will consist of Kenn Barrett, Ph.D. and Lilla DeLuca Barrett, Psy.D. In addition to impeccable academic credentials, we both have several years of hands on experience working with adults, children and families in crisis. Further, Dr. DeLuca Barrett has received education from EAGALA.

As neighbors, your opinions and concerns matter to us. Please feel free to stop by the stables and meet us and the horses on October 16 from 9 AM to 11 AM. You may contact us with any questions or concerns via email (lilladeluca@aol.com), or sending a letter to P.O. Box 274, Tombstone, AZ 85638.

Best Regards


Lilla DeLuca Barrett, Psy.D.


Kenn Barrett, Ph.D.

FW Permit application

From: Gardner, Peter
Sent: Monday, November 04, 2013 1:52 PM
To: Dennis, Keith
Subject: FW: Permit application

Peter Gardner, Planner I
Cochise County Community Development Department Planning, Zoning, and Building
Safety Division
1415 Melody Lane, Building E
Bisbee, AZ 85603
Phone: 520-432-9240
Fax: 520-432-9278
"Public Programs, Personal Service"
www.cochise.az.gov

-----Original Message-----

From: Lills [mailto:lilladeluca@aol.com]
Sent: Saturday, October 12, 2013 8:34 AM
To: Gardner, Peter
Subject: RE: Permit application

Ok. Thanks. Sorry to keep bugging you, but do I need to have the handicapped parking spot completed prior to the submission of the application?

Sent from my Verizon wireless smartphone

"Gardner, Peter" <PGardner@cochise.az.gov> wrote:

>It would be a good idea to keep track so that you are prepared to address the concerns. If concerns about horses in general are brought to me I will explain that everyone in that area (as in most of the county) is free to have horses, and your request doesn't change that at all. Complaining about horses in a rural area baffles me and frankly, will baffle the Commission.

>
>Peter Gardner, Planner I
>Cochise County Community Development Department Planning, Zoning, and
>Building Safety Division
>1415 Melody Lane, Building E
>Bisbee, AZ 85603
>Phone: 520-432-9240
>Fax: 520-432-9278
>"Public Programs, Personal Service"
>www.cochise.az.gov

>
>
>
>-----Original Message-----

>From: Lills [mailto:lilladeluca@aol.com]
>Sent: Thursday, October 10, 2013 4:27 PM
>To: Gardner, Peter
>Subject: Permit application

>
>
>Hello. Should I be keeping track of what people's concerns are? So far I have only heard from one person that doesn't want the smell and flies from horses. This guy literally didn't know I had horses for the last three months. I have heard rumors that folks want to complain about horses and not the business.
>Sent from my Verizon wireless smartphone

Special Use: Docket SU-13-19 (Barrett)

✓ **YES, I SUPPORT THIS REQUEST:**

Please state your reasons:

The Barrott's are very responsible people and the area for the homes is very clean. They will be providing a great service for those in need.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

PATRICIA E MALECKI

SIGNATURE(S):

Patricia E Malecki

YOUR TAX PARCEL NUMBER: 108320110 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. Written comments must be received by our Department no later than 4 PM on Friday, November 29, 2013 if you wish the Commission to consider them before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still email your comments to kdennis@cochise.az.gov, or fax your comments to 520-432-9278, or you may make a statement at the public hearing listed above. Your cooperation is greatly appreciated.

RETURN TO: Keith Dennis, Planner II
Cochise County Planning Department
1415 McIntosh Blvd., Suite 100
Tucson, AZ 85701

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F

Special Use: Docket SU-13-19 (Barrett)

NOV 18 2013

PLANNING

YES, I SUPPORT THIS REQUEST:

Please state your reasons:

I own the two parcels to the north/EAST of the Barrett property, 8 acres total, & downwind LOL - I think it is a great idea and a great addition to our neighborhood! I wish them well and it is a great thing they are doing for the people that will benefit from this project.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Richard Tolway

SIGNATURE(S):

Richard Tolway

2044

33420

520457-3770

YOUR TAX PARCEL NUMBER: 108-32-004C 0 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, November 29, 2013 if you wish the Commission to consider them before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still email your comments to kdennis@cochise.az.gov, or fax your comments to 520-432-9278, or you may make a statement at the public hearing listed above. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

27

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Special Use: Docket SU-13-19 (Barrett)

NOV 18 2013

PLANNING

☒ YES, I SUPPORT THIS REQUEST:

Please state your reasons:

This sounds like a very worthwhile project to me. In my opinion, they good can come when animals are used to assist in the learning process.

NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

(Attach additional sheets, if necessary)

PRINT NAME(S):

Donna J. Farley

SIGNATURE(S):

Donna J. Farley

YOUR TAX PARCEL NUMBER: 10832032 (the eight-digit identification number found on the tax statement from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, November 29, 2013 if you wish the Commission to consider them before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still email your comments to kdennis@cochise.az.gov, or fax your comments to 520-432-9278, or you may make a statement at the public hearing listed above. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E
Bisbee, AZ 85603

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F

Special Use: Docket SU-13-19 (Barrett)

 YES, I SUPPORT THIS REQUEST:

Please state your reasons:

 NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons:

We do not support this request because horses rearing biting flies, bad smells and disease. When Holiday Ranch Estates was first developed the whole area to include the area where these horses are to be housed was considered a residential community. Now the County changed this. I have no idea. There was never a referendum brought forth to the residents in the area, asking if they were in agreement of allowing horses to be brought to this area.

(Attach additional sheets, if necessary)

PRINT NAME(S):

MICHAEL ROSADO, CARMEN ROSADO

SIGNATURE(S):

Carmen Rosado
Michael Rosado

YOUR TAX PARCEL NUMBER: _____

(the eight-digit identification number found on the tax statement

from the Assessor's Office)

Your comments will be made available to the Planning Commission. Upon submission this form or any other correspondence becomes part of the public record and is available for review by the applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on Friday, November 29, 2013 if you wish the Commission to consider them before the meeting. We cannot make exceptions to this deadline; however, if you miss the written comment deadline you may still email your comments to kdennis@cochise.az.gov, or fax your comments to 520-432-9278, or you may make a statement at the public hearing listed above. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis, Planner II
Cochise County Planning Department
1415 Melody Lane, Building E

29

F

Special Use: Docket SU-13-19 (Barrett)

Although the instances of a human actually being infected by a horse are rare, there is still a chance that you could catch an illness from horses.

The proximity of these facilities to our residence, residential area makes^{it} more of a nuisance than anything else, Not mentioning the depreciation of land and structures.

I urge the Colise County Planning and Zoning Commission to deny this special use authorization.